

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:) Application Division.
Barenholz et al.) ATTN: PCT
Serial No.: 10/009,771) Washington, D.C.
IA Filing Date: June 15, 2000) Date: April 26, 2002
For: ENZYMATIC PREPARATION OF PHOSPHOLIPIDS IN AQUEOUS MEDIA

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC
371

RECEIVED

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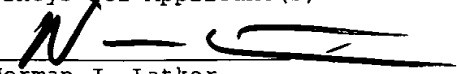
TECHNOLOGY CENTER R3700

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated February 26, 2002.

- [XX] Attached hereto is an executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, filing date, and PCT information.
- [XX] Applicant claims small entity status. See CR 1.27.
- [] Preliminary Amendment and Statements in Support of Filing and Submissions in Accordance with 37 C.F.R. '1.821-1.825, Sequence Listing (hardcopy), and computer-readable form of Sequence Listing.
- [] An Information Disclosure Statement with 1449 and references is also attached.
- [] A Preliminary Amendment
- [] An exact English language translation of the PCT application as originally filed.
- [] Other documents: _____
- [] Surcharge for late filing of English translation \$ 130.00
- [XX] Surcharge for late filing of the Declaration was paid on December 17, 2001.
- [] Surcharge for late filing of the Declaration in the amount of:
- | Small Entity | Other than Small Entity |
|--------------|-------------------------|
| [] \$65.00 | [] \$130.00 |
- [] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:
- | Small Entity | Other Than Small Entity |
|-----------------------------|-----------------------------|
| Response Filed Within | Response Filed Within |
| [] First - \$ 55.00 | [] First - \$ 110.00 |
| [] Second - \$ 200.00 | [] Second - \$ 400.00 |
| [] Third - \$ 460.00 | [] Third - \$ 920.00 |
| [] Fourth - \$ 720.00 | [] Fourth - \$1,440.00 |
| [] Fifth - \$ 980.00 | [] Fifth - \$1,960.00 |
| Month After Time Period Set | Month After Time Period Set |
- [XX] Conditional Petition for Extension of Time:
- If any extension of time for a response is required, applicant requests that this be considered a petition therefor.
- [] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$.00 is enclosed to cover the above fees.
- [XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By: 
Norman J. Latker
Registration No. 19,963

NJL:lb

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Combined Declaration for Patent Application and Power of Attorney

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

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the specification of which (check one)

- [] is attached hereto;
 [] was filed in the United States under 35 U.S.C. §111 on, as
 U.S. Appl. No. _____*; or
 [X] was filed in the U.S. under 35 U.S.C. §371 by entry into the U.S. national stage of an international (PCT) application, PCT/IL00/00350; filed June 15, 2000, entry requested on December 17, 2001*; national stage application received U.S. Appl. No. _____*; §371/§102(e) date _____* (* if known)

and was amended on December 17, 2001 (if applicable).

(include dates of amendments under PCT Art. 19 and 34 (fPCT))

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; and I acknowledge the duty to disclose to the Patent and Trademark Office (PTO) all information known by me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §§ 119 (a)-(d) and 365 (b) of any prior foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or under §365(a) of any PCT application which designated at least one country other than the U.S., listed below:

Application No.	Country	Filing Date (MM/DD/YYYY)
_____	_____	_____

If I claimed foreign priority above, I hereby identify below any foreign application for patent (including an international (PCT) application designating a country other than the United States) or for an inventor's or plant breeder's certificate, having a filing date before that of the earliest application from which foreign priority is claimed (if left blank, then there are none):

Non-Priority Application No.	Country	Filing Date (MM/DD/YYYY)
_____	_____	_____

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional applications listed below:

Application No.	Filing Date (MM/DD/YYYY)
60/139,316	June 15, 1999

I hereby claim the benefit under 35 U.S.C. §120 of any prior U.S. non-provisional application(s) or under §365 of any prior PCT international application(s) designating the U.S., listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such U.S. or PCT international application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the PTO all information which is material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Filing Date (MM/DD/YYYY)	Status (patented, pending, abandoned)
PCT/IL00/00350	June 15, 2000	Pending

As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

All of the practitioners associated with Customer Number 001444

Direct all correspondence to the address associated with Customer Number 001444, which is presently:

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